



PATENT

Docket No. 5000-5148

Customer Number 27123

Express Mail Label No. EV356648559US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))

Applicant(s) : Tomoji TARUTANI; Masaki OTA; Hisato KAWAMURA; Yoshinori INOUE; and Masahiro KAWAGUCHI

Serial No : To Be Assigned

Filed : Concurrently herewith

For : VARIABLE DISPLACEMENT COMPRESSOR

Customer No. : 27123

Mail Stop Patent Application  
COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Named Inventor(s) and Address(es): Tomoji TARUTANI; Masaki OTA; Hisato KAWAMURA; Yoshinori INOUE; and Masahiro KAWAGUCHI  
c/o: KABUSHIKI KAISHA TOYOTA JIDOSHOKKI  
2-1, Toyoda-cho, Kariya-shi, Aichi-ken, Japan

For: VARIABLE DISPLACEMENT COMPRESSOR

Enclosed are:

[X] 20 page(s) of specification, 4 page(s) of claims, 1 page(s) of abstract.

[X] 2 sheets of drawing [X] formal (Figs. 1- 4) [ ] informal

[X] 5 page(s) of Declaration and Power of Attorney

[ ] Unsigned  
[X] Newly Executed  
[ ] Copy from prior application

[ ] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

- ☐ Incorporation by Reference: The entire disclosure of the prior application, from which a copy of the combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.
- ☐ Microfiche Computer Program (Appendix)
- ☐ \_\_\_\_\_ page(s) of Sequence Listing
- ☐ computer readable disk containing Sequence Listing
- ☐ Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same
- ☒ Claim for Priority (Claim to Convention Priority) is made to Japanese Application No. 2003-056112 filed March 3, 2003.
- ☒ A certified copy of the Japanese Priority Document is enclosed.
- ☐ English translation documents
- ☒ Information Disclosure Statement
- ☒ Copy of the cited references, including Form PTO-1449
- ☐ Copy of PTO-1449 filed in parent application serial No. \_\_\_\_\_
- ☐ Preliminary Amendment
- ☒ Return receipt postcard (MPEP 503)
- ☒ Assignment Papers (assignment cover sheet and assignment documents)
- ☒ The amount of \$ 40.00 for recording the Assignment included in the check for the filing fee.
- ☐ Assignment papers filed in parent application Serial No. \_\_\_\_\_
- ☐ Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).
- ☐ This is a ☐ continuation ☐ divisional ☐ continuation-in-part (C-I-P) of prior application serial no. \_\_\_\_\_.
- ☐ Cancel in this application original claims \_\_\_\_\_ of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- ☐ A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- ☐ The status of the parent application is as follows:
- ☐ A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until \_\_\_\_\_.
- ☐ A copy of the Petition for Extension of Time in the co-pending parent application is attached.
- ☐ No Petition For Extension of Time and Fee therefor are necessary in the co-pending parent application.

- ☐ Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.
- ☐ Amend the specification by inserting before the first line the sentence:  
This is a ☐ continuation ☐ divisional ☐ continuation-in-part of co-pending application Serial No. \_\_\_\_\_  
\_\_\_\_\_ filed \_\_\_\_\_.

## I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)

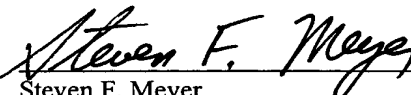
	Number Filed		Number Extra	Rate	Basic Fee \$770.00
Total Claims	15	- 20 =	0	x \$ 18.00	\$0.00
Independent Claims	2	- 3 =	0	x \$ 86.00	\$0.00
Multiple Dependent Claims			Additional Fee =		
	<input type="checkbox"/> yes		Add'l Fee =	\$ 290.00	\$0.00
	<input checked="" type="checkbox"/> no			NONE	

Total: \$770.00

- ☐ A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$ \_\_\_\_\_.
- ☒ A check in the total amount of \$810.00 in payment of the application filing fee and assignment recordation is attached.
- ☐ A check in the amount of \$ \_\_\_\_\_ in payment of the assignment recording fee is attached.
- ☐ Charge Fee(s) to Deposit Account No. 13-4500. Order No. \_\_\_\_\_. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- ☒ The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5148. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Dated: February 27, 2004

  
Steven F. Meyer  
Registration No. 35,613

CORRESPONDENCE ADDRESS:  
MORGAN & FINNEGAN, L.L.P.  
345 Park Avenue  
New York, New York 10154  
(212) 758-4800 Telephone  
(212) 751-6849 Facsimile

Customer No.: 27123

Date of Deposit: February 27, 2004

1. Utility Application and Application Fee Transmittal;
2. Claim to Convention Priority;
3. Certified Copy of Priority Document;
4. Specification: 20 pp., Claims: 4 pp., and Abstract: 1 pp.;
5. Two (2) sheets of Formal Drawings-Figs. 1-4;
6. Information Disclosure Statement;
7. PTO-Form 1449 w/copies of all cited references;
8. Executed Declaration: (5 pp.);
9. Assignment Recordation;
10. Assignment (1pg.);
11. A check in the amount of \$810.00; and
12. A return receipt postcard.

(Signature of person mailing paper(s) and/or fee)

823655 v1